

CHR FACTSHEET

Shutdown (Emergency) Furlough

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FURLOUGH

This FactSheet:

- Provides managers and HR professionals background and basic information regarding possible furlough actions
- Explains what happens when there is a lapse in appropriated funds and the impact on DON operations
- Identifies functions that are excepted from a furlough
- Clarifies exceptions for Navy Working Capital Fund (NWCF) employees

Background

A shutdown furlough is an unplanned or emergency event when there is a lapse in appropriations (funding). If Congress does not pass an appropriations bill or a Continuing Resolution (CR) by midnight on the day the funding expires, the government is required to limit operations under the Antideficiency Act. During a shutdown furlough, the Department of the Navy (DON) will shut down any activities funded by annual appropriations that are not excepted by law. Actual lapses resulting in a shutdown have ranged from several hours to multiple days.

Key Points

- If appropriations are not extended by midnight at the end of the Fiscal Year or when a CR expires, the DON will be required to limit operations to those identified as excepted.
- When the DON limits operations, appropriated fund employees not excepted from furlough will be placed in a non-duty, non-pay status.
- Non-excepted (furloughed) employees will not be allowed to work, even on a volunteer basis.
- Employees excepted from furlough (directed to work on site or telework) include those performing excepted functions:
 - Safety of human life or protection of property (national security and SAPR)
 - Medical/dental care
 - Acquisition and logistic support (includes contracting)
 - Education and training
 - Legal activities
 - Audit and investigation community
 - Morale welfare and recreation/non-appropriated funds
 - Financial management
 - Working capital fund/revolving funds
 - Activities funded with unobligated, unexpired balances
- Military personnel are not furloughed and may be assigned to perform excepted or non-excepted functions of the DON.

Note: Only the minimum number of civilian employees necessary to carry out excepted activities will be excepted from the furlough. Employees that provide direct support to excepted positions may also be excepted, if they are critical to performing the excepted activity.

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Important to Note

- Upon furlough, all scheduled leave (e.g., annual leave, sick leave) is canceled for furloughed and excepted employees. This includes Weather and Safety Leave as a response to Covid-19.
- Excepted employees (directed to work on site or telework) may request leave during the lapse in appropriations, but cannot be paid for the leave until after funding is available. Excepted employees are not required to use leave to cover periods of authorized absence from work and may instead default to furlough status, for which the employee will receive retroactive compensation, without charge to his/her leave balances.
- Both furloughed and excepted employees will be paid retroactively for the furloughed period after the lapse in appropriations ends.
- Employees will not be compensated until Congress passes an appropriations bill or continuing resolution.
- Excepted employees on TDY performing excepted functions may remain at their TDY location upon notification to continue direct support to excepted agency.
- Non-excepted employees on TDY are encouraged to return home sooner than planned wherever reasonable and practicable, based on the length of the assignment and the time required for return travel, compared to the anticipated length of the lapse, so as to minimize the burdens of doing so.
- Heads of activities may require the return to the work site or telework of furloughed civilian employees in the event of developments that pose an imminent danger to life or property.
- Excepted employees may earn compensatory time off and/or credit hours consistent with appropriate requirements and Command guidelines.
- Navy Working Capital Fund (NWCF) activities have been determined to be a categorical exception to shutdown furlough due to available funding. Based on this guidance, Echelon III Commanders should give careful consideration to funding flexibilities and operation expenses. Prudent business decisions and management actions should be taken to sustain operations and minimize operational impact.

Where to Find Additional Information?

Additional guidance and information on furloughs is available on the Office of Personnel Management website:

<https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Overview>

More questions regarding the furlough also are posted at:

<https://www.secnav.navy.mil/donhr/Employees/Furlough/Pages/Default.aspx> or

<https://portal.secnav.navy.mil/orgs/MRA/DONHR/OCHRHQ/Pages/Furlough.aspx>

Still have questions?

Employees should address questions to their servicing HRO.

HROs should address questions to their DCHRs.

DCHRs should address questions to the OCHR Program Manager.



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